

REMARKS

Applicants wish to thank the Examiner for reviewing the present patent application. Regarding the amendments, no new matter has been added and all amendments are supported by the specification as originally filed.

Regarding the figures, all figures are in compliance with 37 CFR §1.81(c). The contents of the figures are clearly supported by the specification as originally filed. Finally, Applicants submit that all amendments and figure submissions are in compliance with 35 USC §132.

I. Drawings

Applicants hereby submit that six (6) figures on two (2) pages are filed herewith as new sheets pursuant to 37 CFR §1.21(d).

II. Specification

Applicants herein submit that the specification has been amended in compliance with the Examiner's suggestions as provided in 37 CFR §1.77(b).

III. Rejection Under 35 USC §102(b)

The Examiner has rejected claims 1-5 and 10-14 under 35 USC §102(b) as being anticipated by Coors, U.S. Patent No. 3,517,604 (hereinafter '604). In the rejection, the Examiner mentions, in summary, that the '604 reference describes a container for

serving infused liquid beverages made from infusion bags that have a string and a tag. The Examiner further mentions that the container comprises a receptacle for holding a liquid and a lid for the receptacle provided with an opening having a slit which is capable of gripping the string of the infusion bag. In view of this, the Examiner believes that the novelty rejection is warranted.

Notwithstanding the Examiner's apparent position to the contrary, it is the Applicants' position that the presently claimed invention is patentably distinguishable from the above-described for at least the following reasons.

As set forth in independent claim 1, as amended, the container for serving infused liquid beverages has been further defined to have a lid that comprises a dispensing outlet through which the consumer can drink beverage. The lid of claim 10 has been further defined to also contain a dispensing outlet through which the consumer drinks beverage.

In contrast, the '604 reference merely discloses a teapot with a flat cover. The teapot and flat cover (container) does not comprise, among other things, a dispensing outlet through which the consumer drinks beverage. In view of this, it is clear that all the important and critical limitations now set forth in the presently claimed invention, as amended, are not found in the '604 reference. Therefore, the novelty rejection is improper and should be withdrawn and rendered moot.

IV. Rejection Under 35 USC §102(e)

The Examiner has rejected claims 1-18 under 35 USC §102(e) as being anticipated by Portman et al., U.S. Patent No. 6,464,099 (hereinafter '099). In the rejection, the Examiner mentions, in summary, that the '099 reference discloses a container for serving infused liquid beverages made from infusion bags having a string and tag attached whereby the container has a receptacle for holding liquid and a lid with slits which are capable of gripping the string of the infusion bag. The Examiner further mentions that the '099 reference describes a second portion (aperture) through which the string of the infusion bag can move, and a dispensing outlet in the lid. In view of this, the Examiner believes that the novelty rejection is warranted.

Notwithstanding the Examiner's apparent position to the contrary, it is the Applicants' position that the presently claimed invention is patentably distinguishable from the above-described for at least the following reasons.

As set forth in independent claim 1, as amended, the lid of the container has been further defined to have a first slit with further slits that are extended at right angles therefrom and that are aligned with the second portion that is located on the first slit.

The lid in claim 10 has been further defined to include a first slit with further slits that are extended at right angles therefrom and that are aligned with the second portion whereby the second portion is located on the first slit.

Since a slit arrangement comprising right angles is not even remotely described in the '099 reference, all the important and critical limitations of the present invention as now claimed are not set forth in a single reference, namely the '099 reference. In view of

this, Applicants respectfully request that the novelty rejection made under 35 USC §102(e) be withdrawn and rendered moot.

Applicants submit that all pending claims are now in condition for allowance.
Reconsideration and favorable action are earnestly solicited.

In the event the Examiner has any questions concerning the present patent application, he is kindly invited to contact the undersigned at his earliest convenience.

Respectfully submitted,



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